



15 DEC 2006

SIEMENS CORPORATION
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

In re Application of
TIEMANN, Peter
Application No.: 10/568,735
PCT No.: PCT/EP2004/007947
Int. Filing Date: 16 July 2004
Priority Date: 18 August 2003
Attorney Docket No.: 2003P11342WOUS
For: DIFFUSER FOR A GAS TURBINE,
AND GAS TURBINE FOR POWER
GENERATION

DECISION

This is a decision on the papers filed via facsimile on 12 December 2006 which are treated as a renewed petition under 37 CFR 1.43.

BACKGROUND

On 02 November 2006, a decision dismissing applicant's petition was mailed. The declaration was regarded as not to contain all of the information required by 37 CFR 1.497. Applicants were given two months to respond.

On 12 December 2006, applicants filed the subject response.

DISCUSSION

It is first noted that the prior decision erroneously noted that the decision was based upon a legal representative of a deceased inventor under 37 CFR 1.42. The decision should have stated that it was based upon a legal representative of an inventor who is legally incapacitated pursuant to 37 CFR 1.43.

The declaration signed by Iris Olfmans as the legal representative of the sole inventor, Peter Tiemann, who is listed as comatose was filed on 17 February 2006. Only information for the inventor was recorded on the declaration. As such, the declaration was held not in compliance with 37 CFR 1.497.

In response, counsel affirms "that the citizenship, residence and address of comatose inventor Peter Tiemann and his legal representative are the same." This clarifying statement has been accepted as a sufficient response. The declaration filed 17 February 2006 is now in compliance with 37 CFR 1.497(a) and (b).

CONCLUSION

The papers filed under 37 CFR 1.43 are **ACCEPTED**.

Applicant has completed the requirements for acceptance under 35 U.S.C. 371(c). The application has an international filing date of 16 July 2004, under 35 U.S.C. 363, and a 35 U.S.C. 371 date of 17 February 2006.

This application is being forwarded to the United States Designated/Elected Office for further processing in accordance with this decision.



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